



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4088

Introduced 7/7/2005, by Rep. Robert F. Flider

SYNOPSIS AS INTRODUCED:

110 ILCS 330/7 new
210 ILCS 85/6.22 new

Amends the University of Illinois Hospital Act and the Hospital Licensing Act. Provides that a hospital must use a federal Food and Drug Administration-approved radio frequency identification (RFID) tag in connection with each surgery performed at the hospital. Provides that the tag must identify (i) the patient and the surgeon, (ii) the date and type of surgery, and (iii) the body part to be operated on. Requires that the tag be scanned in the hospital's operating room before the patient is sedated and that the information stored on the tag be confirmed with the patient. Requires the Department of Public Health to adopt rules to implement these provisions.

LRB094 12801 DRJ 47645 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The University of Illinois Hospital Act is
5 amended by adding Section 7 as follows:

6 (110 ILCS 330/7 new)

7 Sec. 7. RFID tag for surgeries. A hospital that is subject
8 to this Act must comply with Section 6.22 of the Hospital
9 Licensing Act.

10 Section 10. The Hospital Licensing Act is amended by adding
11 Section 6.22 as follows:

12 (210 ILCS 85/6.22 new)

13 Sec. 6.22. RFID tag for surgeries.

14 (a) For the purpose of ensuring that surgeries are
15 performed on the correct patient and on the correct body part,
16 a hospital must use a federal Food and Drug
17 Administration-approved radio frequency identification (RFID)
18 tag in connection with each surgery performed at the hospital.
19 The tag must identify the following:

20 (1) The patient on whom the surgery is to be performed.

21 (2) The surgeon who is to perform the surgery.

22 (3) The date the surgery is to be performed.

23 (4) The type of surgery to be performed.

24 (5) The body part to be operated on or the surgical
25 site.

26 (b) The RFID tag must be attached to the patient near the
27 site of the surgery to be performed. The tag must be scanned in
28 the hospital's operating room before the patient is sedated,
29 and the information on the tag must be confirmed with the
30 patient before the surgery is performed. The tag must be

1 removed from the patient before the surgery is performed.

2 (c) The Department shall adopt rules as necessary to

3 implement this Section.